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Are laws made to be broken?

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WASHINGTON—As laws go, the law seems clear. The Arms Export Control Act says the President "shall terminate all sales, credits and guaranties... to any government which aids or abets, by granting sanctuary from prosecution to, any individual or group which has committed an act of international terrorism."

Is there a loophole? Yes. The President can sell weapons to a terrorist-aiding nation if he thinks U.S. national security requires it. But in that case, he must inform the speaker of the House and the Senate Foreign Relations Committee.

Is there still a loophole? Yes. The law doesn't say *when* he must inform Congress. Also, the law does not specify that Iran is a terrorist nation. Thus, President Reagan's secret sale of arms to Iran did not violate the Arms Export Control Act.

So much for that law.

Now for the Omnibus Diplomatic Security and Antiterrorism Act. It, too, seems clear. The secretary of state is authorized to prohibit any U.S. citizen, anywhere in the world, from providing training or technical services "to or for the security forces" of a foreign government that supports terrorism. In this law, Iran is specifically designated a terrorist nation.

Is there a loophole? Yes. Reagan did not sign the law until Aug. 27, 1986, three months after he secretly sold anti-tank missiles and spare parts for

anti-aircraft missiles to Iran.

Any sale the President might have made after Aug. 28 would be illegal, the Justice Department says. Thus, when Reagan declared at his news conference Wednesday night, "I have directed that no further sales of arms of any kind be sent to Iran," he was saying that he had chosen to obey the law. And, by so saying, he made it clear that he believed he had the choice of whether or not to obey it.

So much for that law.

Now for the National Security Act. It, too, seems clear. Section 501(a) requires the President to inform Congress of all "significant anticipated activities" being undertaken by the CIA. An agreement worked out with CIA Director William Casey in 1984 specified that any action requiring presidential approval would be considered a "significant anticipated activity" of which Congress must be informed in advance.

Is there a loophole? Yes. Section 501(b) says that in an emergency, the President may inform Congress after the secret activity but "in a timely manner." The word "timely" has never been defined. But Reagan told reporters he has "the right under the law to defer reporting to Congress until such time as I believe it can safely be done with no risk to others."

Here, Reagan is making up law as he goes along. There is no such formulation in the law, and Sen. Richard Lugar (R-Ind.), outgoing chairman of the Sen-

ate Foreign Relations Committee, said of the President's claim, "I suspect that the President does not understand the law with regard to informing Congress on these things."

So much for that law.

"The President is not above the law," White House chief of staff Donald T.

Regan said the other day. No, but he interprets it, and he has been elected to enforce it. In the secret sale of arms to Iran, he has chosen to ignore the law, evade the law, misinterpret the law and flout the law.

The law provides no penalty for this. So much for the law.